

REMARKS

Claims 48-69 and 71-74 are presented for the Examiner's review and consideration. In this Response, claims 48-69 and 71 are amended, claim 70 is cancelled, and claims 72-74 are added. Applicant believes the claim amendments and the accompanying remarks herein serve to clarify the present invention and are independent of patentability. No new matter has been added.

Foreign Priority Claim

In the Office Action Summary, it is stated that "None of: Certified copies of the priority documents have been received." Applicant respectfully submits that as the instant application is a US National Stage of a PCT Application, a certified copy of the foreign priority application was submitted to the International Bureau and Applicant is not required to submit an additional certified copy of the priority application. Accordingly, Applicant respectfully submits that all requirements for foreign priority have been satisfied and a copy of the certified copy of the priority document was received from the International Bureau.

35 U.S.C. §112 Rejections

Claims 48-71 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite with respect to unclear limitations or omnibus type claims. Initially, Applicant notes that claim 70 is cancelled, rendering the rejection as to this claim moot.

The remaining claims have been amended herein in accordance with the rejection, and, Applicant submits, the amended claims address the rejections.

In light of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the section §112 rejections.

35 U.S.C. §102 Rejection

Claims 48-53, 57-59, 63-64, and 67 were rejected under 35 U.S.C. §102(b), as being anticipated by Hoblingre (U.S. 2002/0121153) ("Hoblingre").

Initially, Applicant notes that claims 54-56, 60-62, 65-66, and 68-71 were not addressed with respect to anticipation or obviousness. Applicant respectfully requests clarification regarding the allowability of these claims. For purposes of this response, however, arguments with respect to the claims recited in the rejection may be deemed to apply equally to the omitted claims.

For reasons set forth below, Applicant respectfully submits that this rejection should be withdrawn.

Hoblingre

Hoblingre discloses a steering column “comprising a steering shaft extending along a longitudinal direction and comprising a front segment and a rear segment, a gear mechanism for transmitting rotary movement of the rear segment as produced by a steering wheel to the front segment, [and] a stationary block for mounting a central cushion to prevent it from turning while the steering shaft is turning...” (Abstract).

In Hoblingre, the gear mechanism includes “a front toothed member 20 in the form of a bell, a rear toothed member 22, and an intermediate toothed member 24 in the form of an elongate gearwheel. The front end 26 of the bell 20 is constrained to rotate with the rear end of the front segment 4 of the steering shaft.” (¶¶[0029]-[0030]).

“The spring 58 exerts a forwardly-directed axial force on the pusher 52. Because of the inclination of the rear ramp surfaces 46 and 50 and of the front ramp surfaces 44 and 48, this longitudinal force is transformed into a radial return force tending to move the gearwheel 24 radially outwards, and thus to press it against the front and rear toothed sleeves 28 and 22.” (¶[0055]).

“...the torque needed to turn the steering shaft 12 about the longitudinal axis X-X varies to a small extent...”. (¶[0061]). With reference to Fig’s. 3 and 4 of Hoblingre, “The variation of the curve C2 thus compensates the variation of the curve C1 such that the overall torque C (continuous line) needed to turn the steering shaft is substantially constant and equal to about Cm.” (¶[0065]).

Thus, Hoblingre discloses connecting two shaft segments using a means for removing slack from a gear teeth interface. Hoblingre discloses that, despite efforts to produce *even or constant*

torque when turning the steering wheel, practical considerations result in some variation in torque—*but not in speed*.

In contrast, amended claim 48 recites a “a transmission connecting said steering wheel and lower sections...” the “transmission operative to change said rotational ratio based upon a speed of the vehicle, or a rotational angle of the steering wheel”. Amended claim 68 contains similar recitations. Thus, the instant invention seeks to make a change in a rotational ratio between the steering wheel and a steering angle of the vehicle, whereas Hoblingre attempts to *avoid* a change in torque, *does not suggest or teach a change in steering ratio*, and further does not suggest or teach such a change based on an angle of the steering wheel.

Additionally, not only is there no suggestion or teaching in Hoblingre with respect to *changing* a ratio between the steering wheel and a steering angle of the vehicle, there is further no suggestion or teaching with respect to *making any change* “based upon a speed of the vehicle”, as recited in claims 48 and 68 of the instant invention. Hoblingre does not disclose any relationship between a vehicle speed and a steering ratio.

Accordingly, Applicant respectfully submits that claims 48 and 68 cannot be anticipated by Hoblingre. As claims 49-67 and 72 depend from claim 48, and claims 69, 71, and 73 depend from claim 68, these dependent claims necessarily include all the elements of their base claim. Accordingly, Applicant respectfully submits that the dependent claims are allowable over the cited references for at least the same reasons.

In light of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the §102 rejections.

Conclusion

In light of the foregoing remarks, this application is now in condition for allowance and early passage of this case to issue is respectfully requested. If any questions remain regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

A fee of \$1,110 for a 3 month extension is believed to be due. However, please charge any other required fee (or credit any overpayments of fees) to the Deposit Account of the undersigned, Account No. 500601 (Docket no. 7100-X06-029).

Respectfully submitted,

/ Paul D. Bianco /

Martin Fleit, Reg. # 16,900
Paul D. Bianco, Reg. # 43,500

Customer Number: 27317
Martin Fleit
FLEIT KAIN GIBBONS GUTMAN BONGINI & BIANCO
21355 East Dixie Highway, Suite 115
Miami, Florida 33180
Tel: 305-830-2600; Fax: 305-830-2605, e-mail: pbianco@fggbb.com